

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING -- October 12, 1966

Appeal Nos. 8955-56 National Savings and Trust Company and
W.T. Weaver & Son, Inc., appellants.

The Zoning Administrator of the District of Columbia, appellee.

On motion duly made, seconded and unanimously carried,
the following Order was entered at the meeting of the Board on
November 29, 1966.

EFFECTIVE DATE OF ORDER - April 17, 1967

ORDERED:

That the appeals for permission to establish accessory parking on lots 104,840,841 and 843, square 1207 (3216-3228 Prospect Avenue, NW.) to serve premises 1226 Wisconsin Avenue, NW., be granted conditionally.

From the record and the evidence adduced at the public hearing, the Board makes the following findings of fact:

(1) This is a request to establish accessory off-street parking to serve an office building housing a motion picture theatre located on lot 845, square 1207 and known as premises 1226 Wisconsin Avenue, NW. Both subject property and the premises to be served are located in the C-2 District.

(2) The applicant proposes to remodel the first floor of 1226 Wisconsin Avenue to provide a small shop on the first floor and a motion picture theatre to seat 410 persons.

(3) The existing building at 1226 Wisconsin Avenue is two stories in height and the occupant on the first floor has been Byron Motion Pictures, a film production business. The second floor is to be used for office purposes, which will be a continuation of the present use.

(4) The accessory parking lot requested herein is now used as a public parking lot. The request parking will not exceed 14 spaces as shown in the parking computation submitted as Exhibit No. 15.

(5) The applicant has furnished detailed landscaping plans as Exhibit No. 23a to enhance the site and to provide screening.

(6) The applicant's proposed parking will be located within the same square as the principal use. The parking lot is reasonably necessary and convenient to other uses in the vicinity.

(7) The applicant has explored the availability of other adjoining land and has determined that the subject site is the only suitable area upon which to locate accessory parking.

(8) Parking spaces proposed are so located that they will furnish reasonable and convenient parking facilities for the occupants and guests of premises 1226 Wisconsin Avenue. Further, the spaces are located within 800 feet of the principal use.

(9) The Director, Department of Vehicles and Traffic, has no objection to this application.

OPINION:

The Board is of the opinion that the granting of this application is within the requirements of Section 8207.2 of the Zoning Regulations in that the proposed accessory parking will be in harmony with the general purpose and intent of the Zoning Regulations and Maps and will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Maps. Further, the proposed parking lot is reasonably necessary and convenient to the use it is proposed to serve.

This Order shall be subject to the following conditions:

- (a) All areas devoted to driveways, access lanes and parking areas shall be paved with materials which form an all-weather impervious surface.
- (b) No vehicle or any part thereof shall project over any lot line or building line.
- (c) No other use shall be conducted from the premises and no structure other than an attendant's shelter shall be erected upon the premises, unless the structure is otherwise permitted in the District in which the parking lot is located.

- (d) No vehicle entrance or exit shall be within 25 feet of a street intersection as measured from the intersection of the curb lines extended.
- (e) Any lighting used to illuminate parking or the accessory building shall be so arranged that all direct rays of light are confined to the surface of the parking lot.